

FILED in OPEN COURT
2/20/07 KJK.

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF DELAWARE

UNITED STATES OF AMERICA,

:

Plaintiff,

:

v.

:

Case No. 07- 32M-MPT

:

EULALIA AMPARO-PADILLA,

:

Defendant.

:

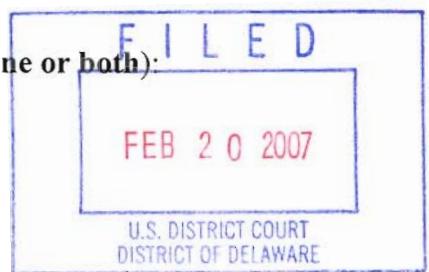
MOTION FOR DETENTION HEARING

NOW COMES the United States and moves for the pretrial detention of the defendant, pursuant to 8 U.S.C. §1326(b)(2). In support of the motion, the United States alleges the following:

1. **Eligibility of Case.** This case is eligible for a detention order because case involves (check all that apply):

- Crime of violence (18 U.S.C. § 3156)
- Maximum sentence life imprisonment or death
- 10+ year drug offense
- Felony, with two prior convictions in above categories
- Serious risk defendant will flee
- Serious risk obstruction of justice

2. **Reason For Detention.** The court should detain defendant because there are no conditions of release which will reasonably assure (check one or both):



- Defendant's appearance as required
- Safety of any other person and the community

3. **Rebuttable Presumption**. The United States (will, will not) invoke the rebuttable presumption against defendant under §3142(e). (If yes) The presumption applies because (**check one or both**):

- Probable cause to believe defendant committed 10+ year drug offense or firearms offense, 18 U.S.C. §924(c)
- Previous conviction for "eligible" offense committed while on pretrial bond

4. **Time For Detention Hearing**. The United States requests the court conduct the detention hearing,

- At first appearance
- After continuance of 3 days or after any competency hearing ordered by the Court.

5. **Temporary Detention**. The United States requests the temporary detention of the defendant for a period of days (not more than 10) so that the appropriate officials can be notified since:

1. At the time the offense was committed the defendant was:
 - (a) on release pending trial for a felony;
 - (b) on release pending imposition or execution of sentence, appeal of sentence or conviction, or completion of sentence for an offense;
 - (c) on probation or parole for an offense.

2. The defendant is not a citizen of the U.S. or lawfully admitted for permanent residence.
3. The defendant may flee or pose a danger to any other person or the community.

6. **Other Matters.**

DATED this 20th day of February, 2007.

Respectfully submitted,

COLM F. CONNOLLY
United States Attorney

BY: 
Shannon T. Hanson
Assistant United States Attorney